

**ENTERED**

October 18, 2021

Nathan Ochsner, Clerk

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
BROWNSVILLE DIVISION

JAIME J. TREVINO,

§

Petitioner,

§

VS.

§

BOBBY LUMPKIN,

§

Respondent.

§

CIVIL ACTION NO. 1:21-CV-044

**ORDER**

In March 2021, Petitioner Jaime J. Trevino filed a Petition for a Writ of Habeas Corpus, challenging his state court conviction on the grounds that his trial counsel was ineffective by coercing him into a plea agreement, which was, as a result, involuntary. (Petition, Doc. 1, 6) The State moved for summary judgment, arguing that Trevino's Petition is time-barred. (Motion for Summary Judgment, Doc. 20, 1)

A United States Magistrate Judge recommends that the Petition be dismissed as untimely filed or, alternatively, denied as meritless. (R&R, Doc. 22) No objections were filed to the Report and Recommendation. The Court finds no plain error in the Report and Recommendation.

As a result, the Court **ADOPTS** Report and Recommendation (Doc. 22). It is:

**ORDERED** that Respondent's Motion for Summary Judgment (Doc. 20) is **GRANTED**; and

**ORDERED** that Petitioner Jaime J. Trevino's Petition for a Writ of Habeas Corpus (Doc. 1) is **DISMISSED** as untimely filed, or alternatively, **DENIED** as meritless.

In addition, the Court finds that no outstanding issue would be debatable among jurists of reason, and that Trevino fails to make a "substantial showing of the denial of a constitutional right." 28 U.S.C. § 2253(c)(2). Accordingly, the Court **DENIES** a Certificate of Appealability.

Signed on October 18, 2021.

Fernando Rodriguez, Jr.  
Fernando Rodriguez, Jr.  
United States District Judge